

THE HONOURABLE SRI JUSTICE M.S.K.JAISWAL

Criminal Petition No.12912 of 2016

ORDER:

This Criminal Petition is filed under Section 482 of Code of Criminal Procedure (Cr.P.C) by the petitioners/accused Nos.1 to 13 seeking to quash the C.C.No.267 of 2011 on the file of the Judicial First Class Magistrate, Jaggaiahpetta, Krishna District, for the offences punishable under Sections 143, 147, 148, 307, 353 149 I.P.C.

2. Heard the learned counsel for the petitioners/accused Nos.1 to 13 and the learned Public Prosecutor and perused the material available on record.

3. On a perusal of the charge sheet, this Court is of the view that truth or otherwise of the allegations made against the petitioners/accused Nos.1 to 13 can be decided only after due trial. Hence, this Court is not inclined to interfere with the proceedings against the petitioners/accused Nos.1 to 13.

4. In any event, considering the nature of allegations against the petitioner Nos.2 to 13/accused Nos.2 to 13, presence of petitioner Nos.2 to 13/accused Nos.2 to 13 on each and every date of hearing before the trial Court is dispensed with, but they shall appear before the trial Court when the trial Court insists for their appearance for any specific purpose. Considering the nature of allegations against the petitioner No.1/accused No.1, the Criminal Petition is dismissed as far as petitioner No.1/accused No.1 is concerned. The petitioner No.1/accused No.1 shall appear before the trial court during the course of trial.

5. The learned trial Court shall dispose of C.C.No.267 of 2011 positively within a period of six months from the date of receipt of a copy of the order without seeking further extension of time from this Court.

6. Accordingly, the Criminal Petition is disposed of. Miscellaneous petitions pending in this petition, if any, shall stand closed.

12th September, 2016
Bvv

M.S.K.JAISWAL, J

